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Attorneys for Defendant Franklin Sports, Inc.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

SAN FRANCISCO TECHNOLOGY, INC.,

Plaintiff,

v.

FRANKLIN SPORTS, INC.,

Defendant.

Case No. C10-05210 PJH

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE CASE  
MANAGEMENT CONFERENCE TO  
MARCH 23, 2011**

Date: February 24, 2011

Time: 2:00 p.m.

Courtroom 3

Judge: Hon. Phyllis J. Hamilton

Plaintiff San Francisco Technology, Inc. and Defendant Franklin Sports, Inc., by and through their respective counsel, jointly request and stipulate that the Case Management Conference currently scheduled for February 24, 2011, at 2:00 pm be continued and rescheduled for March 23, 2011, at 9:00 a.m., immediately following the hearing set for Defendant's pending Motion to Dismiss pursuant to Rules 12(b)(6) and 9(b), and in the alternative Motion to Transfer Venue (the "Motions").

WHEREAS a Case Management Conference is scheduled to take place at 2:00 p.m. on February 24, 2011 (D.I. 16);

WHEREAS on February 14, 2011, Defendant moved to dismiss the Action for failure to state a claim under Rule 12(b)(6) and for failure to plead with the specificity required under Rule

9(b), and, in the alternative, to transfer venue pursuant to 28 U.S.C. § 1404(a) (D.I. 19);

WHEREAS the Motion are scheduled for oral argument on March 23, 2011 at 9:00 am;

WHEREAS Plaintiff and Defendant agree that it would be most efficient, both for the Court and the parties, to hold the Case Management Conference on the date of, and immediately following, oral argument on the Motions;

NOW THEREFORE, IT IS HEREBY STIPULATED by and between counsel for the undersigned parties as follows:

1. The Case Management Conference in this Action will be continued from February 24, 2011, until March 23, 2011, at 9:00 am.

DATED: February 23, 2011

WOLF, GREENFIELD & SACKS, P.C.

By: /s/ Michael A. Albert  
Michael A. Albert  
Attorneys for Defendant Franklin Sports, Inc.

DATED: February 23, 2011

MOUNT, SPELMAN & FINGERMAN, P.C.

By: /s/ Daniel H. Fingerman  
Daniel H. Fingerman  
Attorneys for Plaintiff  
San Francisco Technology, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: 2/23/11

